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C O N F I D E N T I A L SECTION 01 OF 03 NAIROBI 003900

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SUBJECT: SOMALI REFUGEES IN KENYA (C-TN6-01351)

REF: STATE 142476

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Classified By: A/POL CHIEF CRAIG WHITE REASON 1.4(d)

¶1. (C) The following answers are keyed to original lettered questions in reftel.

¶1A. (C) HOW HAS THE GOVERNMENT OF KENYA RESPONDED TO THE FLOW OF SOMALI REFUGEES TO DADAAB? IS THE INFLUX OF SOMALI REFUGEES INTO KENYA A THREAT TO KENYAN STABILITY? IF SO, HOW? The GOK continues to fulfill its international treaty obligations and grant Somalis *prima facie* refugee status in Kenya. We are not aware of any reports of refoulement. Especially given continuing drought conditions throughout much of Kenya, the GOK does not have the resources to assist refugees at Dadaab. UNHCR-Kenya has recently received \$1.5 million (it requested \$2.3 million) from UNHCR-HQ to provide non-food items. However, we expect continuing shortages of basic humanitarian assistance items such as soap, cooking fuel, and blankets. Since January 2006, the UN estimates 21,000 new arrivals at Dadaab. Once UNHCR registers these refugees (a long process, complicated by lack of resources and Kenyans fraudulently trying to register alongside the legitimate refugees), WFP will begin providing food assistance (currently the new arrivals rely on charity of the existing population). WFP does not have the resources to provide the international standard of 2,100 kilocalories/day and will have to reduce rations unless the donor community makes additional pledges. WFP-Kenya expressed appreciation for USG contributions, and is scheduled to meet with the EC this week to seek their support.

¶1B. (C) WHAT WAS THE NATURE OF THE FALLOUT WHEN THE GOVERNMENT OF KENYA REFUSED ASYLUM TO 17,000 SOMALIS IN 2005? We are not aware of any fallout from the 2005 incident, which took place in northeast Kenya near the border town of El Wak. As noted above, the GOK has generously extended entry to all Somali refugees. The GOK continues to express concerns about UN assistance benefiting Kenyan-Somalis and works closely and cooperatively with UNHCR to prevent this. Kenya has a clearly defined policy that all refugees must reside in designated refugee camps except when individual protection issues require otherwise. In the above-mentioned case the refugees were refused official asylum after declining to move

to the Dadaab refugee camp, but were allowed to remain in the El Wak area without support until the intra-clan conflict just across the border had subsided.

IC. (C) HOW HAS THE SIZE, EXPENSE, GROWTH, AND EXISTENCE OF THE CAMPS AT DADAAB TAXED THE KENYAN GOVERNMENT? WHAT PLANS DOES THE GOVERNMENT HAVE IN PLACE TO RESPOND TO THESE STRAINS? As noted above, the GOK relies on the UN to provide assistance and protection. The government provides no direct support and incurs almost no expenses to sustain the camp except for minimal security services. The government has signaled that UNHCR may begin scouting out a location for a fourth camp at Dadaab and UNHCR has undertaken this task. UNHCR reports that with some infrastructure upgrades (e.g., digging additional boreholes) it can absorb another 30,000 arrivals within the three existing camps that make up Dadaab. If the influx exceeds this number, UNHCR plans to appeal to donors to fund construction of the fourth camp.

ID. (C) HOW IS THE ONGOING CONFLICT IN SOMALIA POLARIZING THE REFUGEE POPULATIONS IN DADAAB? HOW IS THE UIC INFLUENTIAL? HOW DIVIDED IS THE POPULATION ALONG CLAN LINES? The camp is divided along clan lines, but even isolated incidents of clan violence are rare. Clan politics mostly play out in competition over limited employment opportunities, slots in the primary and secondary schools, or in distribution of other non-food resources. We are not aware of the level of influence Mogadishu-based Islamic Courts may have in the camp. There has been some anecdotal reporting from NGOs about conservative Islamic imams preaching at some of the over 100 mosques scattered throughout Dadaab. These partners have raised warning flags about the number of idle youth in Dadaab and the possibility of recruitment into radical Islamist causes if education and other services are not provided to keep them occupied. The majority of new refugee arrivals come from Mogadishu and cite "militia conflict" as

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the cause for fleeing. It's not clear whether the new arrivals felt targeted by the Islamic Courts, a particular war lord, were just escaping the crossfire, or possibly, were affected by the drought. Decisions to flee are likely based on a combination of reasons.

IE. (C) HOW IS KENYA PATROLLING ITS BORDER WITH SOMALIA? IS IT TURNING AWAY ADDITIONAL ASYLUM SEEKERS? IF SO, WHERE ARE THE FAILED ASYLUM SEEKERS GOING? HOW ARE SOMALI REFUGEES REACTING WHEN THE KENYAN GOVERNMENT REFUSES THEM ADMISSION TO KENYA? The Kenya-Somalia border is extremely porous and there is limited, if any, patrolling. The GOK grants Somalis *prima facie* refugee status and does not/not turn asylum seekers away.

IF. (C) WHAT NGOS AND/OR IOS ARE ON THE GROUND TO RECEIVE AND ASSIST THE REFUGEES? IS THE GOVERNMENT OF KENYA PERMITTING THESE NGOS AND IOS ACCESS TO THE REFUGEE POPULATIONS? Among the NGO's currently working in Dadaab are CARE Kenya, GTZ, FilmAid International, and the Kenyan Council of Churches. The IOS working in Dadaab include UNHCR, WFP, IOM, and UNICEF. As noted above, the GOK cooperates well and closely with UNHCR and NGOs but follows a hands-off policy for the most part. UNHCR (in part through arrangements with NGO implementing partners) provides shelter, water/sanitation, education, and medical assistance - but there are gaps, particularly in basic non-food items (e.g., soap, blankets, cooking fuel) and in non-life sustaining services such as secondary education, income generation, etc. WFP provides food. UNHCR, WFP, UNICEF will be conducting a Joint Assessment Mission to Dadaab the week of September 18, and likely call a donors conference soon after to appeal for additional pledges to meet assistance gaps.

IG. (C) HOW IS THE KENYAN GOVERNMENT CONTROLLING THE NUMBER AND BEHAVIOR OF SOMALI REFUGEES IN THE COUNTRY? Kenyan police provide security at Dadaab for both the refugees and aid workers there. The GOK does not attempt to control the

behavior of Somali refugees other than to enforce the laws of Kenya, which include strict travel restrictions for official refugees outside of refugee camps.

IH. (C) ARE THE SOMALI REFUGEES IN KENYA RECEIVING SUFFICIENT FOOD, WATER, HEALTH CARE, AND SHELTER? Due to the length of time the Somalia refugees have been in Dadaab - some for over 15 years - overall resources directed to them have diminished as other refugee and humanitarian crisis have taken center stage. Food rations were cut to 1,900 kcals per person per day for two months of this year, below the SPHERE mandated standard of 2,100 kilocalories per person per day. In addition, because registration of refugees has been delayed, many new arrivals have not received a ration but rather have been provided for by fellow clan members at the camp. UNHCR and other contacts expect the number of new arrivals to total 30,000 by December. Under this scenario, food rations will likely be cut back to 1,900 kcals or lower if new resources are not provided by donors. (NOTE: State/PRM recently provided an additional USD 2 million to WFP Kenya to help cope with the shortages within the refugee food program. END NOTE.)

The water system at the camp currently provides nearly the minimum standard of 15 liters per person per day, but is old and needs substantial upgrading. Health care currently meets minimum standards. Shelter for the camp's 130,000 longer-term occupants is adequate, but there have been some delays in providing shelter for new arrivals. All of these deficiencies are due to lack of donor support for IO and NGO partners at Dadaab in particular, and for refugee operations worldwide. (NOTE: While some services do not meet minimum standards within the refugee camp, it should also be noted that conditions within the camp are markedly better than for the surrounding host community. This is the reason that many Kenyans of Somali ethnicity attempt to enter the camp fraudulently. END NOTE.)

II. (C) IS THERE A POTENTIAL FOR TERRORIST OPERATIVES TO EXPLOIT THESE LARGE REFUGEE FLOWS AND, IF SO, HOW? The porous border with Somalia and the significant influx of refugees could provide an opportunity for armed combatants or

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extremist elements to enter Dadaab posing as refugees. While we are not aware of any extremist elements recruiting or operating in the camp, there is certainly a possibility for this in the future. As mentioned in the answer to D, some NGO partners have raised warning flags about the number of idle youth in Dadaab and the possibility of recruitment into radical Islamist causes if education and other services are not provided to keep them occupied. Simply put, there is a concentrated population of over 30,000 Muslim young men between the ages of 16 and 45. Due to lack of resources, the NGOs and IOs working in Dadaab are able to provide little or no opportunities for education, income generation, or other diversions or activities. The population has no ability to leave Dadaab legally, and represents a real opportunity for recruitment by Islamic extremists.

12. (C) COMMENT: We appreciate the GOK's continuing recognition of Somalis as refugees on a *prima facie* basis. Refcoord Addis Ababa, in consultation with Embassy Nairobi, has been and will continue to be involved in and support the UN's forward-leaning contingency plans for the influx of Somali refugees to both Kenya and Ethiopia. END COMMENT.

13. (U) RefCoord Addis co-drafted this message, which was cleared by Embassy Nairobi's Somalia Working Group.
RANNEBERGER